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9 Specially Appearing for Defendants VENETIAN  
CASINO RESORT, LLC; LAS VEGAS SANDS, LLC,  
10 and LAS VEGAS SANDS CORP.

11  
12 **IN THE UNITED STATES DISTRICT COURT**  
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14  
15 JONATHAN BROWNING, INC., a California  
corporation,

16 Plaintiff,

17 v.

18 VENETIAN CASINO RESORT, LLC, a Nevada  
19 limited liability company; LAS VEGAS SANDS,  
LLC, a Nevada limited liability company; LAS  
20 VEGAS SANDS CORP., a Nevada corporation; and  
DOES 1 through 100, inclusive,

21 Defendant.  
22  
23  
24

Case No.: C 07-3983 JSW

**DECLARATION OF MICHELLE A.  
HON IN SUPPORT OF DEFENDANTS'  
MEMORANDUM OF POINTS AND  
AUTHORITIES RE MOTION TO  
DISMISS**

**Date:** November 2, 2007  
**Time:** 9:00 am

**Complaint Filed:** August 2, 2007  
**Judge:** Jeffrey S. White  
**Courtroom:** 2, 17th floor

25 I, Michelle A. Hon, declare:

26 1. I am an attorney licensed to practice in the State of California and I am admitted to  
27 practice before this Court. I am a member of the law firm Duane Morris LLP, counsel for  
28

1 defendants Venetian Casino Resort LLC, Las Vegas Sands LLC, and Las Vegas Sands Corp.  
2 (“Defendants”). I have personal knowledge of the matters stated herein, and if called as a witness, I  
3 could and would testify competently to them.

4 2. I submit this declaration in support of Defendants’ Memorandum of Points and  
5 Authorities in Support of Motion to Dismiss.

6 3. On August 30, 2007, I performed an electronic search of the Online Catalog  
7 maintained by the U.S. Copyright Office. The search parameters requested any copyright  
8 registrations or assignments with “Jonathan” and “Browning” anywhere in the name field.

9 4. The August 30, 2007 search revealed that no copyright registrations or assignments  
10 were issued or recorded for plaintiff Jonathan Browning for any sconces. A true and correct copy of  
11 the search results are attached hereto as Exhibit A.

12 I declare under penalty of perjury under the laws of the United States of America that the  
13 foregoing is true and correct.

14 Executed this 17<sup>th</sup> day of September, 2007 at San Diego California.

15  
16 /s/ Michelle A. Hon  
Michelle A. Hon

## **Exhibit A**

**Copyright**

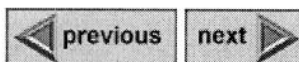
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Copyright Catalog (1978 to present)

Search Request: Builder = (Browning AND Jonathan)[in Name: All (KNAM)]

Search Results: Displaying 1 through 6 of 6 entries.

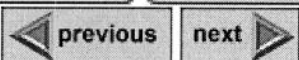


Resort results by:

**Set Search Limits**

#	Author	Full Title	Date
<input type="checkbox"/> [ 1 ]		3 styles.	2002
<input type="checkbox"/> [ 2 ]		Deep space, & 3 other selections.	2002
<input type="checkbox"/> [ 3 ]		Document control, version 2.0.	1995
<input type="checkbox"/> [ 4 ]		Lying honestly / Caffeine.	2004
<input type="checkbox"/> [ 5 ]		Pied piper : a musical version of the poem / by Robert Browning ; music by Colin Warnock ; orchestrated by Jonathan Butcher.	1988
<input type="checkbox"/> [ 6 ]		Waging a war against silence.	2000

Resort results by:

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**Copyright**

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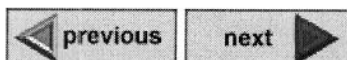
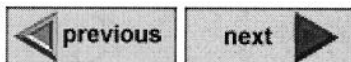
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## Public Catalog

Copyright Catalog (1978 to present)

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Search Results: Displaying 1 of 6 entries

**Labeled View***3 styles.***Type of Work:** Sound Recording**Registration Number / Date:** SRu000470668 / 2002-01-28**Application Title:** Three early styles.**Title:** 3 styles.**Description:** Compact disc.**Notes:** Collection.**Copyright Claimant:** ☐ on sound recording; *Jonathan Lee Browning*, 1982- (Honeymuzzle, pseud.)**Date of Creation:** 2002**Other Title:** Three styles**Names:** Browning, Jonathan Lee, 1982-  
Honeymuzzle, pseud.**Save, Print and Email (Help Page)**Select Download Format ☐ Full Record

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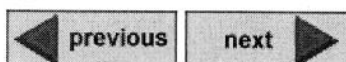
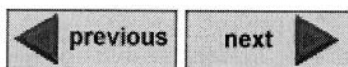
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## Public Catalog

Copyright Catalog (1978 to present)

Search Request: Builder = (Browning AND Jonathan)[in Name: All (KNAM)]

Search Results: Displaying 2 of 6 entries

[Labeled View](#)*Deep space, & 3 other selections.***Type of Work:** Sound Recording**Registration Number / Date:** SRu000479346 / 2002-02-08**Application Title:** Spaces.**Title:** Deep space, & 3 other selections.**Description:** Compact disc.**Copyright Claimant:** ☐ on sound recording; *Jonathan Lee Browning*, 1982- (Honeymuzzle, pseud.)**Date of Creation:** 2002**Variant title:** Deep space**Names:** Browning, Jonathan Lee, 1982-  
Honeymuzzle, pseud.**Save, Print and Email (Help Page)**Select Download Format ☐ Full Record

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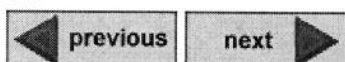
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## Public Catalog

Copyright Catalog (1978 to present)

Search Request: Builder = (Browning, Jonathan)[ in Name: All ]

Search Results: Displaying 3 of 6 entries



Labeled View

*Document control, version 2.0.*

**Type of Work:** Computer File

**Registration Number / Date:** TX0004142920 / 1995-10-03

**Title:** Document control, version 2.0.

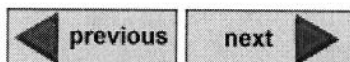
**Description:** Computer program.

**Copyright Claimant:** Jonathan Browning Russ, 1970-

**Date of Creation:** 1995

**Date of Publication:** 1995-09-23

**Names:** Russ, *Jonathan Browning*, 1970-



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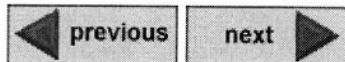
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## Public Catalog

Copyright Catalog (1978 to present)

Search Request: Builder = (Browning, Jonathan)[ in Name: All ]

Search Results: Displaying 4 of 6 entries



Labeled View

*Lying honestly / Caffeine.*

**Type of Work:** Music

**Registration Number / Date:** SR0000366243 / 2005-01-27

**Title:** Lying honestly / Caffeine.

**Description:** Compact disc + lyrics.

**Notes:** Collection.

**Copyright Claimant:** © Scott McEwan & *Jonathan* Browning

**Date of Creation:** 2004

**Date of Publication:** 2004-10-01

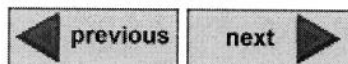
**Authorship on Application:** words & music: Scott McEwan, 1982-, & *Jonathan Browning*, 1969-.

**Copyright Note:** C.O. correspondence.

**Names:** McEwan, Scott, 1982-

Browning, *Jonathan*, 1969-

Caffeine



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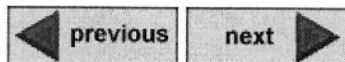
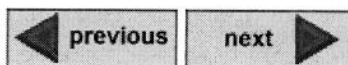
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## Public Catalog

Copyright Catalog (1978 to present)

Search Request: Builder = (Browning, Jonathan)[ in Name: All ]

Search Results: Displaying 5 of 6 entries

[Labeled View](#)*The Pied piper : a musical version of the poem / by Robert Browning ; music...***Type of Work:** Music**Registration Number / Date:** PA0000371346 / 1988-04-06**Title:** The Pied piper : a musical version of the poem / by Robert Browning ; music by Colin Warnock ; orchestrated by **Jonathan** Butcher.**Imprint:** London : Novello, c1988.**Description:** 80 p.**Copyright Claimant:** Novello & Company, Ltd.**Date of Creation:** 1983**Date of Publication:** 1988-03-02**Basis of Claim:** New Matter: "new music."**Copyright Note:** C.O. correspondence.**Names:** Warnock, ColinButcher, **Jonathan**Browning, Robert, 1812-1889Novello & Company, Ltd.**Save, Print and Email (Help Page)**Select Download Format ☐ Full Record

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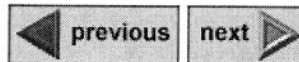
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## Public Catalog

Copyright Catalog (1978 to present)

Search Request: Builder = (Browning, Jonathan)[ in Name: All ]

Search Results: Displaying 6 of 6 entries



Labeled View

*Waging a war against silence.*

**Type of Work:** Sound Recording

**Registration Number / Date:** SRu000462817 / 2000-10-02

**Title:** Waging a war against silence.

**Description:** Sound cassette.

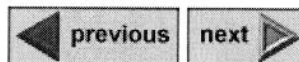
**Notes:** Collection.

**Copyright Claimant:** ☐ on recording; *Jonathan Lee Browning*, 1982- (Honeymuzzle, pseud.)

**Date of Creation:** 2000

**Copyright Note:** C.O. correspondence.

**Names:** Browning, Jonathan Lee, 1982-  
Honeymuzzle, pseud.



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